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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/702,556	11/07/2003	Yoshiaki Noda	1259-0242P	8239
2292	7590	03/16/2005		EXAMINER
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				OSELE, MARK A
			ART UNIT	PAPER NUMBER
			1734	

DATE MAILED: 03/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/702,556	NODA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Mark A Osele	1734	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days, will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on \_\_\_\_\_.  
 2a) This action is **FINAL**.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-12 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_ is/are allowed.  
 6) Claim(s) 1-12 is/are rejected.  
 7) Claim(s) \_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 07 November 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 11072003.

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.  


## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art in view of Posey. The admitted prior art discloses that it is known to unwind a first polymer film from a first film roll to supply the first polymer film to a tentering device, unwind a second polymer film from a second film roll after unwinding of the first polymer film is completed, splicing the first and second polymer films, and unwinding the second polymer film from the second film roll after splicing to supply the second polymer film to the tentering device (Instant specification page 2, lines 16-30). The admitted prior art fails to show the splicing to occur by thermal melting of overlaid films.

Posey teaches that polymer films can be spliced for continuous feeding to a processing station by overlying the trailing end of the first film and the leading end of the second film and using an impulse heater (column 4, lines 39-42) to seal the webs together (column 2, lines 23-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the overlap heat sealing device of Posey in the method of the admitted prior art because Posey shows this splicing device to be quick, economical, and minimally disruptive (column 1, lines 56-60).

3. Claims 2-8 and 10-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over the admitted prior art in view of Posey as applied to claim 1 above, and further in view of Gatteschi. As shown in paragraph 2 above, the references as combined show the instantly claimed limitations except for forming a loop of the first polymer film in a reservoir.

Gatteschi shows a heat seal splicing device for polymer films wherein a reservoir, 7, is used to hold a loop of the first polymer film, A, so that film can be provided to the processing device continuously (column 2, lines 48-57) while the films are being spliced. It would have been obvious to one of ordinary skill in the art at the time the invention was made to add the reservoir of Gatteschi into the method of the references as combined to provide film continuously to the processing station.

Regarding claim 3, Gatteschi shows cutting off the trailing end of the first polymer film with a cutter, 15A, upstream of the film connecting position.

Regarding claim 4, the width of melt-adhesion line would be determined by routine optimization.

Regarding claims 5-6, Posey teaches that there is no tail of the trailing end of the first polymer after cutting and sealing (Fig. 8i).

Regarding claims 7-8, it would have been within the purview of one of ordinary skill in the art to determine the length of the trailing end of the first polymer film that should be cut off after considering factors such as the cost of the film per unit length and the amount of film regularly damaged by attachment to a reel.

Regarding claims 10-12, the admitted prior art shows the polymer films to be PVA which are treated with a liquid prior to entering a tentering device wherein the films are expanded. In addition, Posey teaches treating the polymer films between the splicing location and the processing station (column 6, lines 63-66).

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ward, Ward et al., and Draghetti each show heat seal splicing devices for polymer films. Lincoln et al. shows splicing with attaching the trailing web end to the new web.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark A Osele whose telephone number is 571-272-1235. The examiner can normally be reached on M-F 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Fiorilla can be reached on 571-272-1187. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



MARK A. OSELE  
PRIMARY EXAMINER

March 14, 2005